

**PART B - FEE(S) TRANSMITTAL**

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*BPF*

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**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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7590 10/17/2003

LISA A HAILE  
GARY CARY WARE & FREIDENRICH  
4365 EXECUTIVE DRIVE  
SUITE 1600  
SAN DIEGO, CA 92121



Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

**Certificate of Mailing or Transmission**  
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

Aldon Griffis <i>Aldon Griffis</i> (Depositor's name)
(Signature)
January 6, 2004 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/529,458	04/13/2000	JAY M. SHORT	DIVER1380-1	5257

**TITLE OF INVENTION: SCREENING FOR NOVEL COMPOUNDS WHICH REGULATE BIOLOGICAL INTERACTIONS**

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	01/20/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
KETTER, JAMES S	1636	435-006000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).	2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.	GRAY CARY WARE & FREIDENRICH, LLP
<input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.		1. _____
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3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)		3. _____

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Diversa Corporation

San Diego, California

Please check the appropriate assignee category or categories (will not be printed on the patent);  individual  corporation or other private group entity  government

4a. The following fee(s) are enclosed:

4b. Payment of Fee(s):

Issue Fee

A check in the amount of the fee(s) is enclosed. \$995.00

Publication Fee

Payment by credit card. Form PTO-2038 is attached.

Advance Order - # of Copies Ten (10)

The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-1355 (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature) <i>Lisa A. Haile</i>		(Date) January 6, 2004
Lisa A. Haile, Reg. 38,347		
NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.		

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

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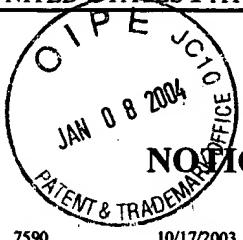
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OCT 24 2003



## UNITED STATES PATENT AND TRADEMARK OFFICE



7590

10/17/2003

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## NOTICE OF ALLOWANCE AND FEE(S) DUE

LISA A HAILE  
GARY CARY WARE & FREIDENRICH  
4365 EXECUTIVE DRIVE  
SUITE 1600  
SAN DIEGO, CA 92121

## PATENT DOCKETING

OCT 24 2003

EXAMINER

KETTER, JAMES S

ART UNIT

PAPER NUMBER

1636

DATE MAILED: 10/17/2003

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/529,458	04/13/2000	JAY M. SHORT	DIVER1380-1	5257

TITLE OF INVENTION: SCREENING FOR NOVEL COMPOUNDS WHICH REGULATE BIOLOGICAL INTERACTIONS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	01/20/2004

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

## HOW TO REPLY TO THIS NOTICE:

## I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

Applicant claims SMALL ENTITY status.  
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.



PATENT  
Attorney Docket No.: DIVER1380-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jay M. Short Art Unit: 1636  
Application No.: 09/529,458 Examiner: J.S. Ketter  
Filed: April 13, 2000 Conf. No.: 5257  
Title: SCREENING FOR NOVEL COMPOUNDS WHICH REGULATE  
BIOLOGICAL INTERACTIONS

**Mail Stop ISSUE FEE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF ALLOWANCE**

Sir:

In response to the Notice of Allowance mailed October 17, 2003, enclosed are the completed Issue Fee Transmittal Form PTOL-85, Form PTOL-85B and Check No. 551714 in the amount of \$995.00 for the required Issue/Publication Fees and a request for Ten (10) advance patent copies.

The Commissioner is hereby authorized to charge any other fees associated with the filing submitted herewith, or credit any overpayments, to Deposit Account No. 50-1355.

Respectfully submitted,

Date: January 6, 2004

Lisa A. Haile, J.D., Ph.D.  
Registration No.: 38,347  
Telephone: (858) 677-1456  
Facsimile: (858) 677-1465

**USPTO CUSTOMER NUMBER 28213**

GRAY CARY WARE & FREIDENRICH LLP  
4365 Executive Drive, Suite 1100  
San Diego, California 92121-2133

**CERTIFICATION UNDER 37 CFR §1.8**

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, January 6, 2004, in an envelope addressed to: Mail Stop ISSUE FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Aldon Griffis  
(Name of Person Mailing Paper)

Aldon Griffis  
(Signature)

January 6, 2004

(Date)

In re Application of:

Jay M. Short

Application No.: 09/529,458

Filed: April 13, 2000

Page 2

PATENT

Attorney Docket No.: DIVER1380-1

Enclosed is Check No. 551714 in the total amount of \$995.00; which consists of \$665.00

for the Issue Fee, \$300.00 for the Publication Fee and \$30.00 for the Advance Order Fee for Ten

(10) Patent Copies. The Commissioner is hereby authorized to charge any other fees that may be  
associated with this communication, or credit any overpayment to Deposit Account No. 50-1355.

A duplicate copy of this sheet is enclosed.

Respectfully submitted,



Lisa A. Haile

Lisa A. Haile, J.D., Ph.D.

Registration No. 38,347

Telephone: (858) 677-1456

Facsimile: (858) 677-1465

**USPTO CUSTOMER NUMBER 28213**

GRAY CARY WARE & FREIDENRICH LLP

4365 Executive Drive, Suite 1100

San Diego, California 92121-2133